

**MINUTES**  
**SPECIAL SESSION WITH THE YOUTH COUNCIL**  
**MARCH 22, 2006 – 6:15 P.M.**

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The Mayor and City Council held a special meeting with the Newton Youth Council on Wednesday, March 22, 2006 in the Gantt Community Room with the following present: Mayor Robert Mullinax, Council Members Wayne Dellinger, Tom Rowe, Anne Stedman, Al Gaither, Tom Dixon, Mayor Pro Tem Roy Johnson, City Manager Ed Burchins, and City Clerk Beunice “Bootsie” Roberts. Also in attendance was Gary L. Herman, Public Information Director for the City of Newton. Members of the Youth Council in attendance were: Becky Webb, Rebecca Adamson, Elizabeth Abernathy, John Jones, and Chase Laffon.

Mayor Mullinax called the meeting to order and welcomed the members of the Youth Council and City Council to the meeting.

Council Member Anne Stedman gave a brief summary about the functions of the Youth Council and asked each member to introduce themselves and state which high school they attended.

Becky Webb was the first spokesperson and gave a brief overview of the concerns that the Youth Council have about drug use in the high schools.

Miss Webb stated that the biggest problem with the youth today is substance abuse such as, alcohol, marijuana (gateway drugs), and prescription drugs.

Rebecca Adamson reported on the use of illegal drugs, explaining the short term and long terms affects they have and how drugs affects others.

Miss Adamson stated that some teenagers use drugs because of the way it makes them feel. She stated that some teenagers say that it makes them feel good, but doesn’t realize the damage it causes.

John Jones stated that the Youth Council is brainstorming ideas to see what the Council can do, with the support of the Mayor and City Council, to provide alternative activities for the youth to get involved.

John Jones suggested activities which he and the Youth Council members felt would make a positive step towards providing alternatives to drug use and social events for the youth.

John Jones shared with the group a brochure introducing the Youth Council’s new project, “Teen Leadership Newton,” program which will be held this summer. The program is opened to interested Newton teens between the ages of 15 to 18.

John stated that the program is designed to expose the youth to the qualities and information that make great community leaders.

John Jones also suggested that a parent awareness program could be held, more brochures about drugs could be developed, or to sponsor safe events for the youth such as bringing speakers in an assembly program.

Mayor Mullinax asked the Youth Council to leave their brochures about the Teen Leadership Newton program so that they could be placed in the lobby and possibly be placed on the City’s website.

Mayor Mullinax asked the group if there was any focus on drug awareness in the high schools like the D.A.R.E. Program.

Rebecca Adamson stated that some information is given during their Health and PE section of their health class in the lower grades, but after you reach the 9<sup>th</sup> grade, nothing much is said.

Council Member Gaither told the Youth about an incident which involved a teenager drinking and driving and a wreck occurred and a young person was killed. He stated that peer pressure is tough and young people need to say, "Let me out of this car" when they know someone has been drinking.

Rebecca Adamson said that it was hard to leave a friend and there are times you don't know what to do.

Mayor Pro Tem Johnson asked if the School Resource Officer talk to the students about drugs and alcohol.

Rebecca Adamson said that the school administration think that the students, once they reach high school, are mature enough without the interaction of the School Resource Officer. She stated that his job is to monitor all activities around the school and keep everything safe.

Becky Webb suggested that speakers be sought to talk to the students in the higher grades, stating that the biggest problems start with the upper class students.

Council Member Dixon asked the Youth Council Member if drugs are so easy to have at school, why it is that others use them and you don't.

Rebecca Adamson stated that some students use drugs because of the stress they have in their life and they don't know how to handle it. She said that some people use drugs to be popular at school. She said she didn't use drugs because she was raised not to use them.

Rebecca Adamson stated that the youth make choices all the time and you have to be strong and pay attention to the information provided in special programs about drug use to not be tempted to use them.

Mayor Mullinax stated that he and the Council would like to assist the Youth Council in their efforts to have dances, speakers, or some event to help the Youth and give them something to do. He asked if they would be willing to work with the Council and they agreed to do so.

Becky Webb suggested a Battle of the Bands event held at Southside Park would be great.

Council Member Gaither stated that he remembered dances and band concerts were popular back then, but suggested that a recovering alcoholic or drug addict might be able to draw some attention to the problem as another alternative to the list of suggested events.

Council Member Stedman asked if the upper classmen ever interacted with the lower class students.

Council Member Dixon suggested that some type of "Big Brother" approach would be good in the high school.

A visiting parent suggested that the students see a film about what happens when someone drinks and drive. She stated that she had seen a film in Florida that was very graphic, but made the young adults aware of what could happen when drinking is involved.

Council Member Stedman stated that apparently there are lots of drugs and alcohol in the schools and it seems too easy to get.

The Youth Council members stated that some of the teenagers are using their parent's and grandparent's prescription medication. They said that the most used prescription drug used is oxycodone and that the parents and grandparents aren't aware of what is going on.

Mayor Mullinax asked the Youth Council if they would work with the Parks and Recreation Department to plan some events at Southside Park or at Pin Station.

The Youth Council agreed to work with the Mayor and City Council.

Mayor Mullinax said that the Council would partner with the Newton-Conover School Board in arranging some events for the youth to help out.

Mayor Mullinax thanked the Youth Council members for their presentation and attendance and Council Member Stedman for working with the group. He also encouraged them to keep up the good work.

There being no further business to discuss, the meeting was adjourned.

Respectfully submitted by:  
Robert A. Mullinax, Mayor

Beunice "Bootsie" R. Roberts, City Clerk

**MINUTES**  
**MARCH 22, 2006**  
**REGULAR MEETING – CITY COUNCIL – CITY OF NEWTON**

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The Mayor and City Council held a regular meeting at 7:00 p.m. on Wednesday, March 22, 2006 in the Council Chambers at City Hall with the following present: Mayor Robert Mullinax, Council Members Wayne Dellinger, Tom Rowe, Anne Stedman, Al Gaither, Tom Dixon, Mayor Pro Tem Roy Johnson, City Attorney Larry Pitts, City Manager Ed Burchins, Assistant City Manager Glenn J. Pattishall, and City Clerk Beunice "Bootsie" Roberts.

**Item 1**      **Call to Order:**  
Mayor Mullinax called the meeting to order and welcomed citizens in the audience.

**Item 2**      **Opening – Council Member Wayne Dellinger**  
Council Member Wayne Dellinger led the Pledge of Allegiance.

**Item 3**      **Approval of minutes of the March 7, 2006 regular meeting**  
A motion was made Mayor Pro Tem Johnson, seconded by Council Member Stedman, and unanimously adopted that the March 7, 2006 minutes be approved as submitted.

**Item 4**      **Consideration of Approval of Consent Agenda Item:**  
A motion was made by Mayor Pro Tem Johnson, seconded by Council Member Dixon, and unanimously adopted that the following items on the Consent Agenda be approved.

**A.      Tax Releases**

<b>Tax Year</b>	<b>Tax Release Number</b>	<b>Name</b>	<b>Reason</b>	<b>Amount of Release</b>
2004	38	Bell, Eddie	Property sold in prior year	\$2.42
2005	39	Bell, Eddie	Property sold in prior year	\$2.42
2005	40	Food Lion LLC #571	Result of property audit	\$35.68
2005	41	Food Lion LLC #571	Result of property audit	\$29.97
2005	42	Food Lion LLC #571	Result of property audit	\$33.08
2005	43	Food Lion LLC #571	Result of property audit	\$24.48
2005	44	Food Lion LLC #571	Result of property audit	\$20.09
2005	45	Food Lion LLC #571	Result of property audit	\$17.84
2003	46	Gibson, Donnie	Property disposed of in prior year	\$52.91
2004	47	Gibson, Donnie	Property disposed of in prior year	\$26.77
2005	48	Gibson, Donnie	Property disposed of in prior year	\$22.66
2005	49	Roth, Frank	Property sold in prior year	\$2.42

**B. Sewer Adjustments for March**

The following sewer adjustments are recommended as a result of water leaks at the service addresses.

<b>Account Number</b>	<b>Name</b>	<b>Service Address</b>	<b>Adjustment Period</b>	<b>Amount of Adj.</b>
57000360	Gabriel Gomez	658 East 1 <sup>st</sup> St. #7	November	\$101.78

**C. Approval of Fee Schedule for NewtonFest 2006  
(Fee schedule Attached)**

**D. Consideration of budget ordinance amendment in the amount of \$33,300 for additional  
(ORDINANCE #2006-6 ATTACHED)**

**E. Consideration of budget ordinance amendment in the amount of \$62,000 for additional sesquicentennial celebration expense  
(ORDINANCE #2006-7 ATTACHED)**

**Item 5 Introduction of new Public Information Director for the City of Newton**

City Manager Ed Burchins introduced Gary L. Herman to the Mayor and City Council. Mr. Burchins stated that Mr. Herman assumed his responsibilities as Public Information Director on Monday, March 20<sup>th</sup> after being employed with the Taylorsville Times for twelve years.

Mayor Mullinax and the City Council welcomed Mr. Herman to the City of Newton family.

**Item 6**      **Comments from the public: (Persons wanting to make a public comment on non-agenda items are requested to sign in with the City Clerk prior to the meeting.)**

None.

**Item 7.**      **Old Business:**

**A.      Consideration of awarding bid for Swimming Pool Repair Needs in the amount of \$150,000**

City Manager Burchins reported that the staff let bids for swimming pool repairs which included modification of the pool drains, resurfacing the pool, engineering, and design improvements.

City Manager Burchins stated that \$150,000 was budgeted for pool improvements, but the bid from Mecklenburg Aquatic Construction for \$91, 670 was much lower than the bid received from Paddock Construction for \$143,263.73 which was a considerable difference.

Mayor Mullinax stated that the savings between the two bids could be set aside for future improvements and enhancements for the pool or wherever necessary.

After a brief discussion about pool slides and other enhancements to be considered for future pool improvements, a motion was made by Council Member Gaither, seconded by Mayor Pro Tem Johnson, and unanimously approved to award the bid of \$91,670 to Mecklenburg Aquatic Construction for upgrade and repair of pool, engineering and design.

City Manager Burchins stated that further discussion on the savings could be considered during the next special work session to be held on April 4<sup>th</sup>.

**B.      Special Announcement of the Citywide Clean-Up Event - April 8, 2006 (rain date: April 15, 2006) - Angie Harris**

Angie Harris, Project Coordinator for the Public Works Department, reported that the annual citywide "Keep the Heart Alive" clean-up event will be held on April 8, 2006 beginning at 9:00 a.m. at the Newton Recreation Center. The rain date for the 2006 event is April 15<sup>th</sup>.

Miss Harris stated that this year's event was the fourth event and is always held before the annual NewtonFest festival.

Miss Harris stated that approximately 150 volunteers are requested to clean-up specific areas around the City, but city residents are encouraged to clean up their own properties.

Miss Harris stated that the project provides additional benefits of public education and information for the City's Storm Water Program.

Miss Harris reported that such groups as the NAACP, Festival & Events Committee, High School Groups, and Boy Scouts always participate each year. She stated that working supplies are provided by the City, as well as, breakfast and lunch.

Miss Harris encourages all interested citizens to participate in some way on April 8<sup>th</sup> to join the City of Newton in its efforts to keep the city beautiful.

Miss Harris also reported that she is a member of the Litter Task Force for the “Keep American Beautiful” program and their organization has adopted a “Keep Catawba County Beautiful” program. Miss Harris encouraged all city residents and city employees to participate in all the clean-up efforts when they are offered.

**Item 8. New Business:**

**A. Consideration of amendment to Soil Erosion and Sedimentation Control**

Richard Crump, City Planner, gave an overview of the City’s Soil Erosion and Sedimentation Control Ordinance which was adopted in 2001.

Mr. Crump stated that as a result of changes in state regulations, the City needs to revise its ordinance to reflect the changes made at the state level so as to be in compliance.

Mr. Crump reported that the Planning Commission voted unanimously at its February 2006 meeting to recommend to City Council for approval of amendments to revise the ordinance to reflect the changes made at the state level.

A motion was made by Mayor Pro Tem Johnson, seconded by Council Member Stedman, and unanimously approved to adopt an amendment to the Soil Erosion and Sedimentation Control Ordinance to reflect the changes made at the state level.

**(ORDINANCE # 2006-8 ATTACHED)**

**B. Consideration of a Plan Modification for Abernethy Laurels**

Richard Crump, City Planner, reported that Abernethy Laurels, formerly the Abernethy Center, located off of NC Highway 16, is requesting a plan modification for their continuing care retirement community.

Mr. Crump stated that Abernethy Laurels is requesting the modification due to changing market demands and the need for renovation of some existing facilities.

Mr. Crump stated that the three-phase modified plan calls for:

- Phase 1:
- (a) The replacement of 35 duplexes (70 units) previously approved , but not built units with 50 new single family units and 2 duplexes (54 total units). Two additional roads, a Cul-de-sac eliminated, and one loop style access road eliminated.
  - (b) 14,000 square foot community center.
  - (c) Realignment of entrance off of Hwy 16 (NCDOT approval pending), and a new construction entrance off of Claremont Road most of which is currently outside the city limits (NCDOT approval pending).
  - (d) Renovate existing pavilion building containing an existing 39 independent living units and 37 assisted living units.
- Phase 2:
- (a) Demolition of 16 existing multi-family units (200 blocks) and replace 5 duplexes totaling 10 new units to be built (net reduction of 6 units)

- (b) Demolition of 24 existing multi-family units (500 block) and replace with 7 duplexes, 14 new units to be built (net reduction of 10 units).
- Phase 3:
- (a) New building with 24 unit independent living facilities.
  - (b) Development approved as a part of 2002 site plan at corner of Hwy. 16 and Claremont Road (24 single family units and 12 duplexes, 48 total units).
  - (c) Renovation of existing health center interior.
  - (d) Future development on separate tract to north (voluntary annexation).
  - (e) Permanent second entrance off Claremont Road (same location as construction entrance indicated for Phase 1, subject to NCDOT approval).

Mr. Crump stated that the staff recommends that the modification for the Abernethy Laurels Center as submitted by United Church Retirement Homes Inc. be approved subject to compliance with all City of Newton codes and policy standards for construction of improvements.

A motion was made by Council Member Dixon, seconded by Mayor Pro Tem Johnson, and unanimously adopted to approve the modification plan for Abernethy Laurels subject to compliance with all City of Newton codes and policy standards for construction of improvements.

#### **Item 9**     **CITY MANAGER'S REPORT**

**A.                    Schedule Work Session to review Off-Street Parking Committee's Report and Discussion of financing methods for Capital Projects for April 4, 2006 at 6:00 p.m. in the Council Chambers (Recommended from the 2006 Planning Work Shop)**

City Manager Burchins reported that at the Mayor and City Council's Planning Work Shop, changes from the Off-Street Parking Committee and changes to the Personnel Policy required additional discussion and a possible work session for each to be scheduled.

City Manager Burchins recommended that the Mayor and City Council schedule a work session on the requested issues for April 4, 2006 at 6:00 p.m.

It was the consensus of the Council to schedule the work session.

Mayor Mullinax recessed the meeting until April 4, 2006 at 6:00 p.m.

**B.                    Schedule a public hearing for April 4, 2006 for awarding financing bid for making application for \$4,000,000 worth of city projects**

City Manager Burchins gave an overview of the financial methods used by the city which included borrowing funds, investments, capital reserve funds, cash, and investments.

There was a brief discussion among the Council about the amount of money, savings, length of time used for borrowing, money for modifications of municipal buildings, etc. that a work session to discuss these issues further was necessary.

Council Member Gaither introduced a resolution calling for a public hearing in connection with an installment financing for various capital improvements to be held on April 4, 2006 during the regular Mayor and City Council meeting.

A motion was made by Mayor Pro Tem Johnson, seconded by Council Member Dixon, and unanimously adopted to hold a public hearing to discuss further the \$4,000,000 worth of city projects.

**RESOLUTION # 4-2006**

**RESOLUTION CALLING A PUBLIC HEARING IN CONNECTION WITH AN INSTALLMENT FINANCING FOR VARIOUS CAPITAL IMPROVEMENTS**

WHEREAS, the City of Newton, North Carolina (the "City") is considering entering into an installment financing agreement pursuant to Section 160A-20 of the General Statutes of North Carolina in a principal amount not to exceed \$4,000,000 for the purpose of providing funds, together with any other available funds, to pay the costs of repairing and upgrading the City swimming pool; engineering, design and construction of Eastmont Culvert, Smyre Farm Road water and sewer lines, Jacob Fork Park, and Electric System Improvement; and engineering, design and acquisition and installation of three (3) Standby/Peaking Generators (the "Project"); and

WHEREAS, in accordance with Section 160A-20(g) of the General Statutes of North Carolina, the City is required to hold a public hearing on such installment financing agreement;

NOW THEREFORE, BE IT RESOLVED that the City Council of the City hereby fixes 7:00 p.m. on April 4, 2006 in the City Council Chambers at the City Hall in Newton, North Carolina, as the hour, day and place for the public hearing on such installment financing contract and hereby directs the City Clerk of the City to publish notice of such public hearing once in Observer News Enterprise not later than the 10th day before said date.

Upon motion of Council Member Johnson, seconded by Council Member Dixon, the foregoing resolution was adopted by the following vote:

Ayes: Anne Stedman, Al Gaither, Wayne Dellinger, Tom Rowe, Tom Dixon, and Roy Johnson  
Noes: None

I, Beunice R. Roberts, City Clerk of the City of Newton, North Carolina, DO HEREBY CERTIFY that the foregoing is a true copy of so much of the proceedings of the City Council of said City, at a regular meeting held on March 22, 2006, as it relates in any way to the passage of resolutions relating to an installment financing agreement for various capital improvements and that said proceedings are recorded in the minutes of said City Council.

I DO HEREBY FURTHER CERTIFY that a schedule of the regular meetings of said City Council, stating that the regular meetings of said City Council are held on the first Tuesday and third Wednesday of each month at 7:00 p.m. in the City Council Chambers at the City Hall in Newton, North Carolina, has been on file with me for at least seven calendar days prior to said meeting, all in accordance with Section 143-318.12 of the General Statutes of North Carolina.

WITNESS my hand and official seal of said City this 22nd day of March, 2006.

Beunice R. Roberts, City Clerk



**C. Discussion of general time frame for further discussion of Fiscal Year 2007- 2008 Planning Work Shop Issues.**

City Manager Burchins presented to the Mayor and Council a recommended time frame to hold work sessions to discuss the following issues. These issues were briefly discussed during the annual Mayor and City Council Planning Work Session and required additional discussion.

April: Capital Improvement Program  
Technology Improvement Program  
Personnel Policy  
Discussion on Local Bills for General Assembly.

May: Fiscal Year 2007-2008 Proposed Budget:  
Water and Sewer Master Plan  
Electric Rates Tier 1 and Tier 2  
Revenue options streets/sidewalks, culverts  
Piedmont Wagon Funding.

June: Final Review of Fiscal Year 2007-2008 Budget  
Capital Improvement Program  
Rates/Fees  
Storm Water

No action was taken.

**Item 10 Questions from Mayor and Council**

Mayor Mullinax stated that the Council needed to have a Closed Session as allowed under G.S. 143-318.11 (a) (3).

A motion was made by Council Member Rowe, seconded by Council Member Gaither, and unanimously adopted to go into Closed Session.

After the Closed Session, Mayor Mullinax called the Council meeting back into session and stated no action was to be taken on the matters discussed.

**Item 11. Adjourn**

Mayor Mullinax recessed the regular meeting until 6:00 p.m., April 4, 2006.

Respectfully submitted,

Robert A. Mullinax, Mayor

Beunice "Bootsie" R. Roberts, City Clerk